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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,689	11/20/2001	Earl Alexander Culham	THOLAM P167US	9026
7590		05/31/2006	EXAMINER	
Earl A. Culham		STORK, KYLE R		
12539 - 161 Avenue		ART UNIT		
Edmonton, AB T5X4W7		PAPER NUMBER		
CANADA		2178		

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/988,689

Applicant(s)

CULHAM, EARL ALEXANDER

Examiner

Kyle R. Stork

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 70-72, 74-76, 78-83, 87-89, 91-95, 98 and 135-149 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 70-72, 74-76, 78-83, 87-89, 91-95, 98 and 135-149 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the request for continued examination filed 12 January 2006 and the amendment filed 3 April 2006.
2. Claims 70-72, 74-76, 78-83, 87-89, 91-95, 98, and 135-149 are pending. Claims 70, 83, and 98 are independent claims. Claims 139-149 are newly added.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 70-72, 74-76, 78-83, 87-89, 91-95, 98, and 135-149 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. The term "regular hypertext link" in claims 70, 83, and 98 in lines 11-12, 11-12, and 10-11 respectively, is a relative term which renders the claim indefinite. The term "regular hypertext link" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

Claims not specifically identified are rejected based upon their dependence upon a rejected base claim.

6. Claims 87-89 and 141 recites the limitation "the information processing means" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim. These

claims are dependent upon claim 83 which simply claims "providing means," as opposed to providing information processing means.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 70-72, 76, 81, 83, 89, 98, 135-126, 139-142, and 145-146 are rejected under 35 U.S.C. 102(e) as being anticipated by Durham (US 7032183, filed 5 June 2001).

As per independent claim 70, Durham discloses a method of linking web pages, comprising the steps of:

- Associating at least one supplementary link with a primary web page, such supplementary link lacks the feature of the anchor which make a regular hypertext link visible, thus a supplementary link is normally hidden from view and does not disrupt the flow of text or graphics displayed on the web page (column 7, line 26- column 8, line 42: Here, the cascading menu contains supplementary links. The menu is normally hidden from view and disrupts neither the flow of

text nor graphics. Further, the links within the cascading menu do not contain anchor tags (Figure 9))

- Providing information processing means by which the at least one supplementary link is transformed into a regular hypertext link (column 7, line 26- column 8, line 42)

As per dependent claim 71, Durham discloses a method wherein at least one supplementary link being stored in a data structure that is separate from the primary web page (Figure 4; column 5, line 53- column 6, line 27).

As per dependent claim 72, Durham discloses a method wherein the data structure being associated with the primary web page (Figure 5: Here, after a requested web page is downloaded, the associated data file is downloaded).

As per dependent claim 139, Durham discloses wherein the information processing means is in response to a user initiated command (column 9, line 42-48: Here, the user initiated command is a mouse over).

As per dependent claim 76, Durham discloses wherein the user initiated command is through an icon (column 9, lines 42-48: Here, the user command is a mouse over an icon on the menu).

As per dependent claim 81, Durham discloses further means for searching for supplementary links within a specific proximity to a cursor (column 9, lines 42-48).

As per independent claim 83, the applicant discloses the limitations substantially similar to those in claim 70. Claim 83 is similarly rejected.

As per dependent claim 89, the applicant discloses the limitations substantially similar to those in claim 76. Claim 89 is similarly rejected.

As per dependent claim 94, the applicant discloses the limitations substantially similar to those in claim 81. Claim 94 is similarly rejected.

As per independent claim 98, the applicant discloses the limitations substantially similar to those in claim 70. Claim 98 is similarly rejected.

As per dependent claim 135, Durham discloses wherein the association between the at least one supplementary link and the primary web page being explicitly reflected as content within the primary web page (Figure 7).

As per dependent claim 136, Durham discloses wherein the association between at least one supplementary link and the primary web page being implicitly derived from the selected attribute of the primary web page (Figure 4).

As per dependent claim 140, Durham discloses wherein the information processing means automatically transforms at least one supplementary link immediately upon the user accessing the primary web page (Figure 10).

As per dependent claim 141, the applicant discloses the limitations substantially similar to those in claim 140. Claim 141 is similarly rejected.

As per dependent claim 142, the applicant discloses the limitations substantially similar to those in claim 140. Claim 142 is similarly rejected.

As per dependent claim 145, the applicant discloses the limitations substantially similar to those in claim 135. Claim 145 is similarly rejected.

As per dependent claim 146, the applicant discloses the limitations substantially similar to those in claim 136. Claim 146 is similarly rejected.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 79-80, 92-93, and 143-144 are rejected under 35 U.S.C. 103(a) as being unpatentable over Durham and further in view of Geilfuss Jr. et al. (US 2002/0075332, filed 22 September 1999, hereafter Geilfuss).

As per dependent claim 79, Durham discloses the limitations similar to those in claim 70, and the same rejection is incorporated herein. Durham fails to specifically disclose the method including a request for linking application process whereby a third party seeks permission from an owner of the primary web page to add a new supplementary link to the primary web page. However, Geilfuss discloses the method including a request for linking application process whereby a third party seeks permission from an owner of the primary web page to add a new supplementary link to the primary web page (page 1, paragraph 0008; page 4, paragraph 0038: Here, the third party is a group of merchants).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Durham with Geilfuss, since it would have allowed a user to control the content on his/her web page.

As per dependent claim 80, Durham and Geilfuss disclose the limitations similar to those in claim 79, and the same rejection is incorporated herein. Geilfuss further discloses the third party must meet a list of criterion before a new supplementary link can be added to the web page, the supplementary link being automatically permitted upon the third party meeting the list of criterion (page 1, paragraph 0008; page 9, paragraph 0062: Here, the fee is a criterion that must be agreed upon before a link is posted).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Durham with Geilfuss, since it would allow a user to control the content of his/her web page.

As per dependent claim 92, the applicant discloses the limitations substantially similar to those in claim 79. Claim 92 is similarly rejected.

As per dependent claim 93, the applicant discloses the limitations substantially similar to those in claim 80. Claim 93 is similarly rejected.

As per dependent claim 143, the applicant discloses the limitations substantially similar to those in claim 79. Claim 143 is similarly rejected.

As per dependent claim 144, the applicant discloses the limitations substantially similar to those in claim 80. Claim 144 is similarly rejected.

11. Claims 82 and 95 are rejected under 35 U.S.C. 103(a) as being unpatentable over Durham in further view of Yahoo! (www.yahoo.com, courtesy of web.archive.org).

As per dependent claim 82, Durham discloses the limitations similar to those in claim 70, and the same rejection is incorporated herein. Durham fails to specifically disclose further including a search engine that searches for items that meet a specified search criterion. However, Yahoo! discloses the method of searching for items that meet a specified search criterion

(<http://web.archive.org/web/19961128070718/www8.yahoo.com/search.html>: see the search options below the search field).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Durham with Yahoo!, since it would have allowed a user to specify criteria and receive supplementary links that had been updated since a last visit by a user.

As per dependent claim 95, the applicant discloses the limitations substantially similar to those in claim 82. Claim 95 is similarly rejected.

12. Claims 74, 87, and 137-138 are rejected under 35 U.S.C. 103(a) as being unpatentable over Durham in further view of Musciano and Kennedy (HTML The Definitive Guide, hereafter Musciano).

As per dependent claim 74, Durham discloses the limitations similar to those in claim 70, and the same rejection is incorporated herein. However, Durham is silent on the hidden command being given through a single HTML tag. However, Musciano

discloses the ability to have a single HTML tag give the hidden command (page 443, 13.2.4.2).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Durham with Musciano, since it would have allowed a user to hide links until they were requested by a user action.

As per dependent claim 87, the applicant discloses the limitations substantially similar to those in claim 74. Claim 87 is similarly rejected.

As per dependent claim 137, Durham discloses the limitations similar to those in claim 70, and the same rejection is incorporated herein. Durham fails to specifically disclose wherein the supplementary are linked to individual points on the primary web page. However, Muschiano discloses linking to a pixel or a point between pixels on a web page (page 27, section 2.7.2).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Durham with Musciano, since it would have allowed a user to initiate a command to view supplementary links and have all of them linked to the same points.

As per dependent claim 138, Durham discloses the limitations similar to those in claim 70, and the same rejection is incorporated herein. Durham fails to specifically disclose wherein the supplementary are linked to individual points on the primary web page. However, Muschiano discloses linking to an individual pixel or a point between pixels on a web page (page 27, section 2.7.2).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Durham with Musciano, since it would have allowed a user to initiate a command to view supplementary links and have all of them linked to different points.

As per dependent claim 147, the applicant discloses the limitations substantially similar to those in claim 137. Claim 147 is similarly rejected.

As per dependent claim 148, the applicant discloses the limitations substantially similar to those in claim 138. Claim 148 is similarly rejected.

13. Claims 75, 78, 88, 91, and 149 are rejected under 35 U.S.C. 103(a) as being unpatentable over Durham in further view of Microsoft® Excel® 2000 (released in 1999, screenshots provided).

As per dependent claim 75, Durham discloses the limitations similar to those in claim 70, and the same rejection is incorporated herein. However, Durham fails to specifically disclose the user initiated command being a keystroke command code. However, Excel® discloses the method wherein the user initiated command being a keystroke command code (Keys for moving and scrolling in a worksheet or workbook, Keys for menus and toolbars, Keys for selecting data and cells, Keys to use with databases and lists).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Durham with Excel®, since it would have

allowed a user to enter keystroke shortcuts instead of having to manually move a mouse or other point means to an icon to display hidden links.

As per dependent claim 78, Durham discloses the limitations similar to those in claim 76, and the same rejection is incorporated herein. Durham fails to specifically disclose the method wherein the icon is presented on a tool bar. However, Excel® discloses displaying icons on a tool bar (Figure 7: see the items immediately below the menu bar).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Durham with Excel®, since it would have allowed a user to have several icons located in the same place for easier use.

As per dependent claim 88, the applicant discloses the limitations substantially similar to those in claim 75. Claim 88 is similarly rejected.

As per dependent claim 91, the applicant discloses the limitations substantially similar to those in claim 78. Claim 91 is similarly rejected.

As per dependent claim 149, Durham discloses the limitations similar to those in claim 70, and the same rejection is incorporated herein. Durham fails to specifically disclose the information processing means being an option. However, Excel® discloses displaying a tool bar containing options (Figure 7: see the items immediately below the menu bar).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have combined Durham with Excel®, since it would have allowed a user to have several icons located in the same place for easier use.

Response to Arguments

14. Applicant's arguments with respect to claims 70-72, 74-76, 78-83, 87-89, 91-95, 98, and 135-149 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kyle R. Stork whose telephone number is (571) 272-4130. The examiner can normally be reached on Monday-Friday (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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